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PATENT COOPERATION TREATY



Translation

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P-14-405-PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/IB2003/002705	International filing date (day/month/year) 24 June 2003 (24.06.2003)	Priority date (day/month/year) 27 June 2002 (27.06.2002)
International Patent Classification (IPC) or national classification and IPC H04H 9/00, 7/04		
Applicant NAGRAVISION SA		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 4 sheets, including this cover sheet.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of _____ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

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Date of submission of the demand 20 December 2003 (20.12.2003)	Date of completion of this report 26 April 2004 (26.04.2004)
Name and mailing address of the IPEA/EP P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Facsimile No. +31 70 340-3016	Authorized officer Pantelakis, P Telephone No. +31 70 340-3526

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/IB2003/002705

I. Basis of the report

1. This report has been drawn on the basis of (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.*):

- ☒ the international application as originally filed.
- ☒ the description, pages 1-8, as originally filed,
 pages _____, filed with the demand,
 pages _____, filed with the letter of _____,
 pages _____, filed with the letter of _____.
- ☒ the claims, Nos. 1-6, as originally filed,
 Nos. _____, as amended under Article 19,
 Nos. _____, filed with the demand,
 Nos. _____, filed with the letter of _____,
 Nos. _____, filed with the letter of _____.
- ☒ the drawings, sheets/fig 1/1, as originally filed,
 sheets/fig _____, filed with the demand,
 sheets/fig _____, filed with the letter of _____,
 sheets/fig _____, filed with the letter of _____.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-6	YES
	Claims		NO
Inventive step (IS)	Claims	1-6	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-6	YES
	Claims		NO

2. Citations and explanations

D1 (**US-B1-6388712**) which is considered to be the **prior art closest** to the subject matter of claim 1, describes a method for validating the broadcasting conditions of a digital content by a broadcast station (D1, column 8, lines 22 to 32; column 4, line 56 to column 5, line 47).

The method of D1 **differs** from that of **claim 1** in that there is no set of data describing the operational conditions of the broadcast station.

The problem that the present invention is intended to solve can be considered to be that of providing a method enabling the broadcasting conditions to be validated while the scheduling of the digital content is being prepared.

None of the documents cited in the international search report mentions a set of data describing the operational conditions of the broadcast station.

The subject matter of claim 1 therefore complies with the PCT requirements of novelty (**PCT Article 33(2)**), inventive step (**PCT Article 33(3)**) and industrial applicability (**PCT Article 33(4)**).

Claims 2 to 6 are dependent on claim 1 and thus also comply, as such, with the PCT requirements of novelty and inventive step.